

MINUTES
Regular Meeting of the College Park City Council
Tuesday, October 22, 2013
7:30 p.m. – 10:27 p.m.

PRESENT: Mayor Andrew Fellows; Councilmembers Kabir, Wojahn, Catlin, Dennis, Stullich, Day, Afzali (arrived at 7:32 p.m.), and Mitchell (arrived at 7:33 p.m.).

ABSENT: None.

ALSO PRESENT: Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Bob Ryan, Director of Public Services; Jill Clements, Director of Human Resources; Steve Groh, Director of Finance; Terry Schum, Director of Planning; Miriam Bader, Senior Planner; Robert Stumpff, Director of Public Works; Catherine McGrath, Student Liaison.

Mayor Fellows opened the meeting at 7:30 p.m. Councilmember Catlin led the Pledge of Allegiance.

Minutes: A motion was made by Councilmember Day and seconded by Councilmember Stullich to approve the minutes of the Regular Meeting of October 8, 2013 and the Public Hearing on 13-CR-02 on October 8, 2013. The motion passed 6 – 0 – 0.

Announcements: Councilmember Day thanked Attorney General Doug Gansler and Delegate Jolene Ivey for supporting the City on the fight to save the UMD Golf Course.

Councilmember Stullich echoed Councilmember Day's comment about the golf course, and then noted that the Calvert Hills Citizens Association is hosting a candidates forum for all District 3 residents on Monday, October 28 at the Old Parish House.

Councilmember Wojahn discussed College Park Day which was held last Saturday.

Councilmember Kabir also discussed College Park Day.

Councilmember Afzali also thanked Gansler and Ivey for supporting the City's position opposing the University of Maryland Golf Course development and connector road.

Councilmember Mitchell said the City received a prestigious award at the MML Fall Conference – the Sustainable Maryland Certified Award – which she accepted on the City's behalf.

Mayor Fellows reported on the College Park Academy ribbon cutting ceremony held on Monday with Gov. O'Malley, Congressman Hoyer, County Executive Baker, Dr. Loh, and several Councilmembers.

Acknowledgement of Dignitaries: Mayor Fellows recognized UMD Vice President Carlo Colella and newly appointed APC member Chris Gill.

Proclamation: Mayor Fellows read the proclamation in honor of the 40th Celebration Of The Office Of Multi-Ethnic Student Education And The 9th Annual Native American Indian/Alaska Native U.S. Powwow And Veterans Honor Circle.

Amendments to the Agenda: Councilmember Afzali noted that the title of item 13-G-116 is changing: the item will only deal with the Entertainment License; there will be no changes to the current Property Use Agreement.

City Manager's Report: City Manager Joe Nagro reminded the Council that there is a Four Cities Meeting tomorrow night in Greenbelt; Thursday is Public Works in-service training day, which includes driving the snow plow routes; he called Council's attention to the items in the red folders on 13-G-114. Finally, there is no meeting next Tuesday, as it is the fifth Tuesday.

Student Liaison's Report: Ms. McGrath discussed the SGA's involvement in College Park Day; suggestions on the What To Fix UMD Facebook page; and an upcoming Walk for Humanity fundraiser on Sunday October 27. She reported that SGA had a presentation on the Knox Village proposal and were in full support of the project. Her sorority, AOII, had their house rededication last Saturday. They renovated their house while maintaining its historical character.

Comments from the Audience on Non-Agenda Items:

Bill Coleman, 7302 Dickinson: He is a former Marine and hosts a Marine Corps birthday celebration each year at his house. He asked to close the street on Saturday from 12 noon – 6 p.m. but was told that the street can't be closed because of the students. He thinks these requests should be considered on a case-by-case basis.

CONSENT AGENDA: A motion was made by Councilmember Dennis and seconded by Councilmember Mitchell to adopt the Consent Agenda, which consisted of the following items:

- 13-G-110 Approval of Field Use Application by Open Bible Deaf Church for Duvall Field for Saturday, October 26.**
- 13-G-111 Motion to voice no objection to the transfer of a Class B, Beer, Wine and Liquor License for the use of College Park Concession Company, Inc. t/a Prince George's Concession, Inc. at 9021 Baltimore Avenue (AMF College Park Lanes) subject to the applicant entering into a Property Use Agreement with the City in substantially the form as attached, authorization for the City Manager to sign the PUA, and for staff to testify at the BOLC hearing.**
- 13-G-112 Motion to voice no objection to the application for a new Class B, BLX, Beer, Wine and Liquor License for the use of Kangnam BBQ, LLC t/a Kangnam BBQ at 8503 Baltimore Avenue (former Seven Seas location) subject to the applicant entering into a Property Use Agreement with the City in substantially the form as attached, authorization for the City Manager to sign the PUA, and for staff to testify at the BOLC hearing.**

- 13-G-113** **Approval of an application for CDBG PY 40 funding in the amount of \$176,000 for street resurfacing and sidewalk reconstruction in the Old Town neighborhood and authorization for the Mayor to execute all necessary documents.**
- 13-G-117** **Approval of a Letter to the Maryland Secretary of Transportation with the City's comments on the draft Consolidated Transportation Program (CTP) for 2014-2019.**

The motion passed 8 – 0 – 0.

ACTION ITEMS

- 13-G-116** **Application by The Jerk Pit, 9078 Baltimore Avenue, to the Board of License Commissioners for an Entertainment License.**

A motion was made by Councilmember Afzali and seconded by Councilmember Mitchell to support the entertainment license application of The Jerk Pit subject to the condition that the entertainment license only allow the entertainment that is currently allowed in the existing Property Use Agreement, to authorize a letter to be sent to the BOLC stating this position, and to authorize staff to testify to the City's position.

Councilmember Afzali commented that when The Jerk Pit originally opened at this location they met with the community about their Property Use Agreement and said it would be a restaurant. There was a lot of community discussion at that time about what they would be allowed to do because it is so close to a residential neighborhood, which is why it is clearly stated in the current PUA that no outdoor amplified music is allowed. Changes in County law since their PUA was signed now necessitate The Jerk Pit to get a County entertainment license to do the things that they already do. The reason this motion says "with conditions" is to allow them only to do what they already do - to support the status quo. It is not to amend the PUA to allow parties, outdoor amplified music, or to do anything that they are not already doing.

Comments from the Audience:

Joan Carol Poor, 9112 Autoville Drive: Family restaurants don't have DJs, don't have dancing, don't stay open till 3 a.m., don't have cover charges, don't get noise complaints, and don't amplify music into public space. Anything other than that doesn't belong in or near a residential neighborhood such as Autoville Drive.

Tina Wood, 9066 Baltimore Avenue: The Jerk Pit and the previous business in that location have been a chronic disruption in her home. She has made numerous calls about night noise. Others in the neighborhood have had the same problem. The bass of the music echoes in her bedroom. There is a danger in increasing the late night traffic in and out of The Jerk Pit because their driveway is so close to the ramp for 193. It is a bad place for a club. She is strongly opposed to this. They are already overstepping and no one is doing anything about it.

Bob Swanson, 9112 Autoville Drive: When The Jerk Pit first came, they said they were going to be a restaurant. Since then we have had issues with DJs, and now they are asking to stay open until 3 a.m., extend the happy hour and have dancing. He opposes all of this and believes it is the wrong direction for College Park. Until they solve the current problems they have with the noise, there is no reason to go forward with an entertainment license. He thinks they should withdraw their request.

Alan Hew, 9118 Autoville Drive: Autoville Drive has had many battles with various US 1 businesses over the years. He has no problem with The Jerk Pit as a family restaurant, as long as it is run as any other family restaurant. Cover charges, dancing, and carding are not activities typical of a restaurant. He does not want it to go in another direction that doesn't fit into the neighborhood. This motion is the best compromise to make at this time.

Garret Tucker, representing The Jerk Pit: They are not trying to violate the license that has been issued. They have invited the neighbors to come and visit. There are some adjustments that need to be made to address these issues. They are not trying to be a nuisance, just want to provide a unique dining experience. There is no ill-intent behind their actions. Their responsibility is to take heed to these concerns.

Councilmember Afzali described the motion to Ms. Lisa Rose, owner of The Jerk Pit. He explained that the proposal is that they can't do anything over what is in the current Property Use Agreement and basically allows the status quo. He asked if they would agree to this position. Ms. Rose replied "Yes."

Joan Carol Poor asked if the current PUA allows a DJ? Ms. Ferguson responded that the type of entertainment is not specified. It says that whenever there is music in the restaurant, the windows and doors must be closed, and that no amplified music can be played on the patio. Dancing is authorized separately, not through this license.

The motion passed 8 – 0 – 0.

13-R-13.Amended Adoption of 13-R-13.Amended, An Amended Resolution of the Mayor and Council of the City of College Park to Authorize the City to Join the State Retirement and Pension System of Maryland.

A motion was made by Councilmember Stulich and seconded by Councilmember Afzali to adopt Resolution 13-R-13.Amended to authorize the City of College Park to join the State Retirement and Pension System of Maryland as of July 1, 2014 on such terms and conditions as the State may prescribe, subject to a favorable vote of at least 60% of eligible employees; and to purchase 60% of past creditable and eligibility service for prior service with the City.

Councilmember Stulich commented that on July 16, 2013 the Mayor and Council adopted a similar resolution authorizing the City to join the State Retirement Plan (SRP). We have since heard from the SRP asking us to amend the previous resolution. The reason is that the \$1,463,914 amount referenced in the original resolution is a preliminary actuarial valuation,

which won't be finalized until October, 2014. SRP senior officials have indicated that they expect the final figure to be comparable to our current estimate, but it is not standard practice to reference a specific dollar amount in the resolution. In addition, we have learned that the State Retirement Plan requires that both eligibility service and creditable service must be funded at the same percentage. The original resolution authorized different percentages for eligibility and creditable service. The SRP recalculated the actuarial data and informed us that we could purchase 60% of past service, both eligibility and creditable, for approximately \$1,268,749 which reduces the estimated cost by about 13%. It is less of a benefit to our employees but still a significant step toward a secure retirement.

Janeen Miller, College Park City Clerk: She has been with the City 9½ years and would like to work here another 9 or 10 years. This would be huge to her personally. There was a straw poll conducted several weeks ago and 75% of City employees voted in favor of joining the SRP. It may not be perfect, but at this time it is the best thing that could happen to her and those other employees.

Mark Shroder, 4909 Muskogee: This is the biggest mistake he has seen the City Council make. This makes the City more like Detroit or Chicago or Viejo, California. This kind of pension plan will tempt the City Council to not pay what it owes to fund it each year. This is a very serious error.

John James, 4906 Blackfoot Road: He has been an employee for 25 years and thanks the Council for passing this resolution on behalf of each department at the City.

Councilmember Stulich provided the rationale for this decision to join the SRP: staff looked at the savings that our employees have through the existing plan offered by the City; the majority of employees are unlikely to have even a modest retirement. Employees could work for decades providing essential City services and then retire and live in poverty, or would not be able to afford to retire. This would not provide them with wealth, but will provide a more sustainable retirement. It is a benefit to the City in the long term because it will make us competitive in attracting high caliber employees to work for the City.

Councilmember Wojahn said he agrees with Mr. Shroder about the problems with the Maryland State Retirement Plan but will support this motion because it is a technical amendment which will serve to effectuate a decision that has already been made by Council.

Councilmember Catlin said he will continue to oppose this. Few residents that pay taxes have a defined benefit plan; most people rely on a defined contribution plan. The Maryland plan is one of the worst funded plans in the country and contributions to keep it afloat will have to drastically increase. He doesn't think we explored all the options.

Councilmember Kabir thanked the employees for their hard work; sometimes Council takes credit but the employees are the engine that keeps the City running. He opposes this motion because residents have concerns about the money that will be spent.

Roll Call Vote:

Yes: Wojahn, Dennis, Stullich, Day, Afzali, Mitchell

No: Kabir, Catlin

The motion passed 6 – 2 - 0.

13-R-23 Adoption of 13-R-23, A Resolution of the Mayor and Council of the City of College Park to Authorize the City to Pick-Up Mandatory Contributions of Employees Participating in the State Retirement and Pension System of Maryland.

A motion was made by Councilmember Stullich and seconded by Councilmember Day to adopt Resolution 13-R-23 to authorize the City of College Park to “pick up” mandatory contributions of employees participating in the State Retirement and Pension System of Maryland.

Once the City joins the State Retirement and Pension System of Maryland on July 1, 2014, all participating employees will be required to contribute seven percent of their base pay on a bi-weekly basis. This resolution allows those employee contributions to be deducted on a pre-tax basis, thereby reducing the taxable income for participating employees. The State Retirement Plan refers to these pre-tax mandatory contributions as “picked-up” contributions. Other than the nomenclature, these are really no different from what the City already does for our other pre-tax benefits under section 125 of the Internal Revenue Code, and does not result in any additional cost to the City. This Resolution follows the template provided and required by the State Retirement and Pension System.

There were no comments from the audience or the Council.

Roll Call Vote:

Yes: Kabir, Wojahn, Catlin, Dennis, Stullich, Day, Afzali, Mitchell

No: (none)

The motion passed 8 – 0 - 0.

13-G-118 Letter to National Capital Region Transportation Planning Board with comments on the Regional Transportation Priorities Plan (RTPP)

A motion was made by Councilmember Wojahn and seconded by Councilmember Kabir to send the attached letter to the National Capital Region Transportation Planning Board with City comments on the Regional Transportation Priorities Plan.

This came to his attention as a member of the TPB which is considering a draft Regional Transportation Priorities Plan. Comments are due next month. One of the proposed strategies is the addition of new lanes to existing roadways to establish HOT and HOV for rapid transit in the region. The plan is not focused on specific projects but the SHA has considered the expansion of the Maryland beltway to accommodate HOT and HOV lanes in the past. If this were to proceed it would require the acquisition of housing in north College Park on both sides of the Capital

Beltway. This strategy has been used much too frequently in the past and does not typically decrease traffic congestion. This letter is meant to encourage the RTPP to follow “Region Forward” as a guiding vision and sets as a priority the expansion of public transportation.

There were no comments from the audience.

Councilmember Catlin wished that Prince George’s County had done a better job of supporting Transit Orientated Development instead of sprawl.

The motion passed 8 – 0 – 0.

13-G-114 Approval, With Conditions, of Detailed Site Plan 13025 for Knox Village, including a Declaration of Covenants, Agreement to Close Rossburg Drive at Appropriate Time, Support of Vacation Petition, Approval of Access Easement – Toll Brothers Inc., Knox Box Realty LLC, Knox Village Partners LLC and AO Enterprises LLC.

Ms. Ferguson stated that the City and the applicant have not yet reached agreement on all the conditions so we will need to Worksession this item prior to the motion.

Ms. Schum reminded Council that when this was discussed at the October 1 Worksession, staff had a preliminary recommendation for Council but the applicant had a number of revisions to their DSP. Staff reviewed the revised plans and drafted the Declaration of Covenants and Agreement regarding Land Use. Staff now has a revised recommendation but the applicant is not entirely in agreement. Staff reviewed the applicant’s revisions and their recommendations. Council and the applicant discussed the issues where there is still disagreement, both substantive and non-substantive. The outcome of these discussions is reflected in the motion below:

A motion was made by Councilmember Day and seconded by Councilmember Stullich to approve DSP-13025 subject to the following conditions with the applicants entering into a Declaration of Covenants with the City of College Park:

- 1. Prior to signature approval of the DSP, the applicants shall revise the site plan to:**
 - a. Show a possible location for a proposed Bikeshare Station (11 docks and 6 bikes) that measures 31 feet in length and 6 feet in width.**
 - b. Redesign the mews/stairs to accommodate pushing a bike.**
 - c. Show street light fixtures spaced not more than 30 feet on center.**
 - d. Provide a hammerhead turnaround at the terminus of Rossburg Drive as shown on Exhibit 1.**
 - e. Show the installation of street trees and pedestrian light fixtures extended from the project boundary along Knox Road and Guilford Road to the intersection of these two streets.**
 - f. Show sidewalks along the property frontage at a minimum of 6-feet wide, preferably 8- feet wide to the extent possible.**

- g. Provide a 6-foot wide sidewalk and 5-foot wide planting strip along the north side of Knox Road from the proposed crosswalk east to the driveway of the Delta Sigma Phi fraternity.**
- 2. Prior to a Use and Occupancy Permit, the applicant (Toll Brothers, Inc.) shall provide a copy of an agreement with the University of Maryland for the installation, maintenance and monitoring of emergency call boxes (Public Emergency Reporting Telephones, PERT) and shall install exterior cameras on Buildings A, B and C that have views of Knox Road, Hartwick Road, Guilford Road, and the Mews.**
- 3. Prior to a Use and Occupancy Permit, the applicant (Toll Brothers, Inc.) shall:**
 - a. Obtain a right-of-way permit from the City of College Park to implement roadway and streetscape improvements as shown in Exhibits 1-4.**
 - b. Stripe Knox Road to provide a 5-foot wide west-bound bike lane, 10-foot wide west-bound drive lane, 11-foot wide east-bound “sharrow” lane and an 8-foot wide parking lane on the south side of Knox Road.**
- 4. The two-over-two buildings on Parcel 3 shall be limited to one- and two- bedroom units.**
- 5. The applicants shall maintain all pedestrian light fixtures in the right-of-way along Knox Road, Hartwick Road, Guilford Drive, and Roszburg Drive with the exception of the pedestrian light fixtures that are installed outside of the project’s property frontage.**
- 6. The applicant (Toll Brothers, Inc.) and the applicant’s heirs, successors, and /or assignees shall vacate the existing Roszburg Drive right-of-way (WW20-94) and obtain approval of a minor final plat pursuant to Section 24-112 of the Subdivision Regulations in accordance with the approved Detailed Site Plan DSP-13025.**
- 7. Prior to signature approval of the DSP, the architectural elevations shall be revised for review and approval by the City of College Park and M-NCPPC as follows:**
 - a. Label the materials used on the façade of the garage.**
 - b. Create a 5-story projecting vertical bay with windows on Building B-south elevation, similar to that found on Building B-north elevation.**
 - c. Create a 5-story projecting vertical bay with windows for Building C-west elevation, similar to that found on Building C-north elevation.**
- 8. Prior to approval of building permits, if the Capital Bikeshare Program or similar program is operational in the City of College Park, the applicant shall pay the sum of \$45,000 to the City of College Park for the installation and operation of an 11-dock/6-bike station on or near the subject property.**
- 9. Prior to the closure of Roszburg Drive, the applicant shall convert Knox Road to a two-way street, in coordination with the City of College Park engineer.**

- 10. An access easement shall be provided to Parcel 3 to allow Parcel 3 residents to park in the garage located in Building B.**
- 11. Prior to approval of a building permit, a public use easement shall be provided to allow pedestrian and bicycle access through the Mews on Parcel 1, between Knox Road and Guilford and Hartwick Roads.**
- 12. Toll Brothers, Inc. shall achieve U.S. Green Building Council (USGBC) LEED-Silver certification under an applicable, current LEED rating system as required by the Sector Plan Development Standards. Specifically, the applicant shall follow the process below:**
 - a. Prior to DSP certification, the applicant shall:**
 - i. Designate a LEED-accredited professional (“LEED-AP”) who is also a professional engineer or architect, as a member of their design team. The applicant shall provide the name and contact information for the LEED AP to the City.**
 - ii. Designate the City’s Planning Director, or designee, as a team member in the USGBC’s LEED Online system. The City’s team member will have privileges to review the project status and monitor the progress of all documents submitted by the project team.**
 - b. Prior to approval of a building permit, the applicant shall:**
 - i. Register the project with the U.S. Green Building Council (USGBC) and show results of LEED-ND Stage 2 review. If conditional approval is obtained, the applicant shall employ every effort to obtain full LEED-ND certification and provide documentation of such. If conditional approval is not obtained, the applicant shall make every effort to achieve USGBC LEED-Silver certification under LEED-NC and/or LEED Homes, or if available, equivalent standard.**
 - c. Prior to issuance of the first Use and Occupancy Permit, the applicant shall:**
 - i. Submit a report by a LEED AP that demonstrates that the project is anticipated to attain a sufficient number of credits that will ultimately be sufficient to attain the LEED ND Silver certification or LEED-NC and LEED Homes as appropriate.**
 - ii. Establish an escrow or letter of credit in the amount of \$50,000 with an agent that is acceptable to the City. Said escrow agent shall hold the funds subject to the terms of this Agreement. The escrow (or letter of credit) shall be released to Applicant upon final LEED Silver certification. In the event that the applicant fails to provide, within 1 year of issuance of the use and occupancy permit for the final building within the LEED ND boundary, documentation to the City demonstrating attainment of LEED Silver certification, the entirety of the escrow will be released upon demand to the City and will be posted to a fund within the City budget supporting implementation of environmental initiatives. If LEED certification is obtained but not at the Silver level, 50% of the escrow will be released to the applicant and 50% will be released upon demand to the City to be posted to a**

fund within the City budget supporting implementation of environmental initiatives.

- d. If the applicant provides documentation from the USGBC demonstrating, to the satisfaction of the City, that USGBC completion of the review of the LEED certification application has been delayed through no fault of the applicant, the applicant's contractors or subcontractors, the proffered time frame may be extended as determined appropriate by the City, and no release of escrowed funds shall be made to the applicant or to the City during the extension.**
- 13. Knox Box Realty LLC, Knox Village Partners LLC and AO Enterprises LLC shall achieve U.S. Green Building Council (USGBC) LEED- Silver certification under an applicable, current LEED rating system as required by the Sector Plan Development Standards. The applicant shall pursue LEED Silver certification through the Split Review process. Specifically, the applicant shall follow the process below:**
- a. Prior to DSP certification, the applicant shall:**
 - i. Register the project with the USGBC and provide a copy of the payment receipt.**
 - ii. Designate a LEED-accredited professional ("LEED-AP") who is also a professional engineer or architect, as a member of their design team. The applicant shall provide the name and contact information for the LEED AP to the City.**
 - iii. Designate the City's Planning Director, or designee, as a team member in the USGBC's LEED Online system. The City's team member will have privileges to review the project status and monitor the progress of all documents submitted by the project team.**
 - b. Prior to the issuance of a building permit, the Applicant shall submit the results of the USGBC's preliminary review of design-oriented credits in the LEED program. This documentation shall demonstrate that the buildings are anticipated to attain a sufficient number of design-related credits that, along with the anticipated construction-related credits, will be sufficient to attain LEED Silver certification.**
 - c. Prior to the issuance of the first use and occupancy permit, the Applicant shall provide documentation that the project has been certified LEED Silver by the USGBC to the City of College Park and to M-NCPPC. If certification has not been completed, the Applicant shall submit certification statements from their LEED-AP that confirms the project list of specific LEED credits will meet at least the minimum number of credits necessary to attain LEED certification.**

The appropriate regulating agency may issue a temporary use and occupancy permit to the Applicant until such time as LEED certification is documented. If it is determined that a temporary use and occupancy permit cannot be issued, a permanent use and occupancy permit may be issued by the appropriate regulating agency once an escrow or letter of credit in the amount of \$20,000 is established with an agent that is acceptable to the City of

College Park. Said escrow agent shall hold the funds subject to the terms of this Agreement. The escrow (or letter of credit) shall be released to applicant upon final LEED Silver certification. In the event that the Applicant fails to provide, within 180 days of issuance of the permanent use and occupancy permit for the Project, documentation to the City demonstrating attainment of LEED Silver certification, the entirety of the escrow will be released upon demand to the City and will be posted to a fund within the City budget supporting implementation of environmental initiatives. If LEED certification is obtained but not at the Silver level, 50% of the escrow will be released to the Applicant and 50% will be released upon demand to the City to be posted to a fund within the City budget supporting implementation of environmental initiatives

If the Applicant provides documentation from the USGBC demonstrating, to the satisfaction of the City, that USGBC completion of the review of the LEED certification application has been delayed through no fault of the Applicant, the Applicant's contractors or subcontractors, the proffered time frame may be extended as determined appropriate by the City, and no release of escrowed funds shall be made to the Applicant or to the City during the extension.

[End of motion.]

Councilmember Afzali said he was happy to be able to vote on a motion that will tear down the awful Knox Boxes.

Councilmember Catlin said they have been talking about the demise of the Knox Boxes for the last 15 years and he is glad to have a small role in this.

Councilmember Day said he has gotten phone calls from people as far away as Connecticut who heard about the project and want to know when they can come down to witness the demolition of the Knox Boxes.

The Mayor called this a landmark occasion.

The motion passed 8 – 0 – 0.

13-G-119 Appointments to Boards and Committees

A motion was made by Councilmember Wojahn and seconded by Councilmember Stullich to appoint Jackie Pearce Garrett, Bob Ryan, Catherine McGrath and Aaron Springer to the Neighborhood Stabilization Committee, and to send a letter to the Historic Preservation Commission recommending the appointment of Anne Ketz to the Local Advisory Committee for the Old Town Historic District. The motion passed 8 – 0 – 0.

COUNCIL COMMENTS:

Councilmember Catlin discussed the annual Berwyn bonfire.

Council urged people to get out and vote on November 5.

ADJOURN: A motion was made by Councilmember Afzali and seconded by Councilmember Kabir to adjourn the regular meeting and enter into a closed session to Consult with Counsel on a Legal Matter. Council will not return to open session. With a vote of 8 – 0 – 0, Mayor Fellows adjourned the regular meeting at 10:27 p.m.

Janeen S. Miller, CMC
City Clerk

Date
Approved

Pursuant to §C6-3 of the College Park City Charter, at 10:27 p.m., in the Council Chambers of City Hall, a motion was made by Councilmember Afzali and seconded by Councilmember Kabir to enter into an Executive Session for the following reasons:

G: To Consult with Counsel on a Legal Matter

The motion passed 8 – 0 – 0 and after a brief recess the Closed Session convened at 10:37 p.m.

Present: Mayor Andrew Fellows; Councilmembers Kabir, Wojahn, Catlin, Dennis, Stullich, Day, Afzali and Mitchell.

Absent: None.

Also Present: Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Steve Groh, Finance Director; Jimmy Marcos and Tommy Marcos.

Topics Discussed: The City Attorney advised the City Council about legal and financial issues related to an existing lease agreement.

Actions Taken: None.

Adjourn: A motion was made by Councilmember Mitchell and seconded by Councilmember Wojahn to adjourn the Executive Session, and with a vote of 8 – 0 – 0, Mayor Fellows adjourned the Executive Session at 11:36 p.m.